

Lord Ilay and Patrick Cuming: A Study in Eighteenth-Century Ecclesiastical Management

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“ The Ladies told me that I had pleas’d
his Grace, which Gratified me not a
little, as without him no Preferment
could be obtain’d in Scotland ”¹

His Grace was Archibald Campbell, third Duke of Argyll and a key figure in any consideration of the relationship between Church and State in eighteenth-century Scotland. Born in 1682, the second son of the first Duke of Argyll, he was not of course heir to the title and was created Earl of Ilay in his own right in 1706. He is more commonly known by that title although he succeeded his brother John, the second duke, in 1743. He held various offices such as those of Lord High Treasurer, extraordinary Lord of Session and Lord Justice General but his real power rested on the fact that Sir Robert Walpole regarded Lord Ilay as his main adviser on Scottish affairs.

One of Walpole’s sons has given a candid, unflattering but perhaps not unfair portrait of Ilay:

“ Lord Ilay was slovenly in his person, mysterious not to say with an air of guilt in his deportment, slow, steady where suppleness did not answer his purpose, revengeful and if artful at least not ingratiating. He loved power too well to hazard it by ostentation and money so little that he neither spared it to gain friends or to serve them. He attained the sole authority in Scotland by making himself useful to Sir Robert Walpole and preserved it by being formidable to the Pelhams. . . . ”²

The quotation from Carlyle’s “ Anecdotes and Characters ” refers to the year 1758 but as clearly as 1717 Ilay was a power to be reckoned with in Church affairs. A deputation was sent to London by the Commission of the General Assembly to try to obtain the repeal of the Act of Parliament of 1712 which had

¹ A. Carlyle: *Anecdotes and Characters of the Times* (ed. J. Kinsley) London, 1973, p. 194.

² Horace Walpole: *Memoirs of the Reign of George II*, London, 1847, Vol. I, p. 276.

restored lay patronage in the Church of Scotland. An interview with the Duke of Roxburgh,³ then Secretary of State for Scotland, gave the deputation some grounds for optimism but Ilay and his brother were able to prevent any effective action to repeal the Patronage Act even though they themselves were out of favour at court. They considered that patronage was a civil right and a piece of property and they would not consent to give it up.⁴

When on the disgrace of Roxburgh, Ilay came back into favour and became the confidant of Walpole, he stiffened his opposition to any attempt to undermine patronage. Up to this point the patronage in the hands of the Crown had been exercised with careful regard to the feelings of the parishioners. Ilay stopped this and followed a much more arbitrary policy. He even turned to the relatively unimportant spheres of the Chapel Royal and the Royal Almonry and dismissed those ministers whom he considered to be unpliant.⁵

Two incidents may serve to illustrate Ilay's attitude towards ministers of the Church. On one occasion when asked if it was true that James Smith, then minister at Cramond, had sent him an offer of his service Ilay replied "that it was very true, and he had accepted of it and would serve himself of them all, and they were all of the same kidney."⁶ This incident is reported to have taken place in 1730 and it is surely significant that James Smith moved to Edinburgh as one of the ministers of the city that same year, became Professor of Divinity in the University in 1732 and Principal in 1733.

The second incident is Ilay's report to the Duke of Newcastle dated 8th September 1733:

"We have had lately some disturbance in Church matters, it would be too tedious to state it at length; four ministers who behaved themselves very insolently in regard to the laws concerning the settling of ministers are suspended. . . ."⁷

As far as Ilay was concerned the ministers of the Church were either useful or insolent—useful if they served him, insolent if, like Ebenezer Erskine, they presumed to question the authority of the State in Church affairs. His contribution to the

³ John Ker, fifth Earl and first Duke of Roxburgh. He opposed Walpole over the Malt Tax and was dismissed 1725.

⁴ William Mitchell: *Diary*, in *Miscellany of the Spalding Club*, Vol. I, Aberdeen, 1841, pp. 228f.

Robert Wodrow: *Analecta 1701-31*, Maitland Club, Glasgow, 1842, Vol. IV, pp. 243f; Vol. III, p. 491; Vol. II, p. 391.

⁵ Wodrow: *Analecta* IV, p. 253.

⁶ Wodrow: *Analecta* IV, p. 148.

⁷ British Museum Additional MSS, 32, 688, f291.

debate in the Commission of Assembly on a disputed settlement in August 1729 was characteristic:

“Lord Isla answered pretty long and warm: that we sat there by an act of Parliament: patronages was now a law; there was an act of Parliament for this presentation; it ought not to be quarrelled, otherwise the meeting quarrelled their own power.”⁸

Ilay was clearly no believer in the divine right of Presbytery but considered that the Presbyterian system of Church government owed its existence to legislation by the civil power. It was the duty of Church courts to obey their creator and he was to make sure that they did their duty.

One can only speculate whether Ilay had read the sermon preached before the Synod of Dumfries in April 1726 by Patrick Cuming, Minister at Lochmaben. The sermon was published in London in 1727 and contains the following passage:

“As we have nothing to fear from the civil Government under which we enjoy our Rights and Liberties and for the Preservation of which we are bound in Interest and Gratitude as well as Duty and Loyalty to put up our most earnest Prayers; so let us do nothing which may render us unworthy of its Countenance and Protection. Let us maintain Peace among ourselves and as we have Opportunity, instruct and persuade our People to a peaceable Behaviour and to a Cheerful Obedience who ought not for some Hardships to be forgetful of greater Advantages and like peevish Children if any one thing is taken away from them, in a bad Humour cast away all the rest.”⁹

By “hardships” Cuming meant patronage and its attendant grievances. But he was prepared to put up with hardships like those in return for the protection of the civil power and its countenance of presbyterial Church government. Although less explicitly Erastian Cuming’s views were not incompatible with those of Ilay. In 1732 he was admitted to the collegiate charge of the Old Kirk of Edinburgh and we are told that on the death of Principal Smith in 1736 he was “intrusted with the direction of the Assembly” by Lord Ilay.¹⁰

Cuming’s influence in the Church was largely dependent on the support of Ilay. When Ilay fell from power in 1742 so did Cuming. The Jacobite Rebellion of 145-6 restored the influence of the House of Campbell and also the influence of Patrick

⁸ Wodrow: *Analecta* IV, p. 73.

⁹ P. Cuming: *A Sermon preach’d at the opening of the Synod of Dumfries*, London, 1727, p. 45.

¹⁰ J. Ramsay: *Scotland and Scotsmen in the Eighteenth Century*, Edinburgh, 1888, Vol. I, p. 233.

Cuming. After Ilay's death in 1761 Cuming virtually caeses to be a power in the Church.

According to Ramsay of Ochertyre, Cuming "ventured from the commencement of his political career upon measures which Carstairs or Hamilton would have considered too strong, and likely to be attended with mischievous consequences."¹¹ Thus it is probably significant that in the case of the disputed settlement at Denny the Assembly of 1736 (which met before Cuming's assumption of the leadership) merely enjoined the Presbytery of Stirling "to deal tenderly" with the parishioners in effecting a harmonious settlement whereas the Assembly of 1737 declared its dissatisfaction with the Presbytery's conduct in neglecting to proceed to the trials and settlement of the presentee to Denny and ordered it to effect the settlement. But provision was made for the Synod to act if the Presbytery again failed to do so and if the Synod should also be unwilling to proceed, a special Commission was appointed to carry out the Assembly's sentence.¹²

This decision was typical of the periods 1737-42 and 1746-51 of Cuming's ascendancy in the Assembly and may justly be regarded as being in accord with his sentiments. Cuming was convinced that the Church must obey the provisions of the Patronage Act but he continued to regard it as a hard law and said so openly in his closing address as Moderator of the General Assembly of 1749.¹³ Thus, according to Ramsay of Ochertyre, "his language was temperate and conciliatory even when duty . . . made him have recourse to harsh measures . . . he took care not to exasperate his opponents or the Christian people, whom he treated with great professions of respect, at the very time when he found it expedient to cross their pretensions . . . he generally carried his point without producing an irreconcilable breach."¹⁴

The remarkable degree of success which attended this policy of conciliation is attested by a pamphlet which was circulated at Westminster in June 1751. This alleged that the Presbyteries of Scotland paid very little regard to the Patronage Act and instead moderated the call of the people, heritors and elders. This seems to have been very often the case but the author of the pamphlet was mistaken in thinking that the patron's candidate and the candidate called were necessarily different persons. What seems to have happened quite often is that the candidate was named and presented by the patron and then called by the heritors, elders and people. But when the case was considered by the Presbytery

¹¹ *Ibid.*, Vol. II, p. 17.

¹² Printed Acts of Assembly 1736, 1737.

¹³ N. Morren: *Annals of the General Assembly 1739-52*, Edinburgh, 1838, p. 323.

¹⁴ Ramsay: *op. cit.*, I, p. 253f.

the presentation was ignored and only the call moderated Ramsay goes so far as to say that even after the rebellion of 1745 nine out of ten vacancies were filled in this way.¹⁵ Apparently the patrons very seldom remonstrated against the practice since the presentee was in fact, if not in form, settled in the parish.

Under Ilay's administration the Crown patronage was exercised without any consultation of the wishes of the parishioners and in course of time other patrons began to follow suit. The reaction of the people of the parish in many cases was to conceive an inveterate opposition to the presentee, however blameless in character or unexceptionable in doctrine. Cuming's policy in such cases was to smooth over difficulties as far as possible. Thus, under his guidance, a call was always required in the settlement of a parish but the assent of some of the heritors and elders was always deemed to be sufficient even though the vast majority of the parishioners violently opposed the presentee.¹⁶ Such a call was usually obtainable with the assistance of non-resident heritors and with it Cuming was in most cases prepared to uphold the presentation. Only in one or two cases was the presentee set aside, as the Currie case of 1740.

Quite frequently Presbyteries were not willing to settle presentees, even at the command of the Assembly. Instead of forcing the issue the Assembly used the procedure adopted in the Denny case. It expressed "dissatisfaction" with the Presbytery's conduct and arranged for the settlement to be carried out by a "riding"¹⁷ committee. This device of an "ad hoc" committee for the admission of a minister was not, of course, invented by Cuming¹⁸ but he made frequent use of it as an instrument of conciliation. It was a means of sparing local ministers the fierce resentment, sometimes including physical violence, which was directed against those taking part in the settlement of an unpopular presentee. But it could be nothing more than a palliative; it was no cure for the ills of the Church. It diminished the immediate difficulty of executing as gently as possible the unpopular sentences of the Assembly. But it was usually carried through in the face of fierce popular opposition and did nothing to remove the prejudices of the people. Further it must have had the effect of lessening the authority of the candidate thus admitted, at least during the first years of his ministry.

The last occasion when a riding committee was appointed

¹⁵ Ramsay: *op. cit.*, II, p. 17.

¹⁶ Sir Henry Moncrieff: *Life of John Erskine*, Edinburgh, 1818, pp. 456-8.

¹⁷ Perhaps so called because it "overrode" the decision of Presbytery or because the members rode to carry out the sentence.

¹⁸ The first riding committee was appointed in the Peebles case of 1717.

was in the case of the settlement at Torphichen. In 1747 John Bonar, one of the twelve Marrowmen,¹⁹ died and the patron, Lord Torphichen, was anxious to have a harmonious settlement of the resulting vacancy at Torphichen. He decided to submit a list of five names to the parish before making a presentation. One of the leet, James Watson, received a call from twenty-four heritors and was presented by Lord Torphichen. But a majority of the heritors (who numbered sixty), all but one of the four elders and almost all the heads of families persisted in demanding as their minister one James Turnbull whose name despite their petition had not been added to the list. No objection was made to the life or doctrine of the presentee and he was found duly qualified after the usual trials but the Presbytery of Linlithgow delayed his settlement in spite of the repeated injunctions of Synod and Assembly.

When the case came before the Assembly for the third time in 1751 John Home, Minister at Athelstaneford, seconded by William Robertson, Minister at Gladsmuir, moved that the Presbytery be suspended. In their defence the members of the Presbytery pointed out that there was strong opposition to Mr Watson not only in Torphichen but also in their own parishes. If they took part in the settlement they would be rendered "in a great measure useless as ministers of Christ" because their congregations would secede. This, however, need not prevent the execution of the sentence of the Assembly since persons who were not in such circumstances as they were could readily carry out the sentence. This was virtually a plea to be excused an unpleasant duty and for the appointment of a "riding" committee. The motion by Home and Robertson was lost by two hundred votes to eleven and a committee was appointed to admit Mr Watson, should the Presbytery once again fail to do so, Robertson being appointed convener. However the Presbytery were censured for their previous disobedience and enjoined to proceed to settle Mr Watson.²⁰

The following year the Assembly departed drastically from the policy of conciliation. This is seen in its handling of the Inverkeithing Case. Andrew Richardson, a man of irreproachable character and attainments was presented to the parish of Inverkeithing in 1751 with the concurrence of several aristocratic heritors. But the town council of Inverkeithing, the Kirk Session and most of the parishioners opposed Richardson's settlement as their minister, having had it in mind to call an English dissenting minister to the parish. In deference to this feeling the Presbytery of Dunfermline delayed doing anything about the

¹⁹ i.e. one of those who defended the "Marrow of Modern Divinity" before the Assembly of 1722.

²⁰ Morren: *Annals 1739-52*, pp. 156, 181, 195-209.

induction, even after the Synod had sustained the presentation. The matter therefore came before the Commission of the General Assembly in November 1751. The Commission ordered the Presbytery to proceed with the settlement and said that if the presentee had not been admitted by March 1752 the Commission would have recourse to very high censure. Despite this warning all, except two, of the members of the Presbytery found that they were "straitened" to proceed with the settlement and so the case came before the Commission in March 1752.

It was proposed that the case be referred to the coming Assembly but this was defeated and the Commission resolved to consider the execution of the sentence and the conduct of the Presbytery. By a small majority it was carried that considering the whole affair and particularly the defences offered for the Presbytery at the bar of the Commission *viva voce* the Presbytery should not be censured for failing to carry out the settlement. To this decision a group of younger ministers, headed by Robertson and Hume, entered their dissent and craved leave to complain of it to the next General Assembly. The Commission then ordered the Synod of Fife to carry out the settlement at Inverkeithing. This the Synod refused to do and the matter came before the Assembly of 1752.²¹

Robertson and his adherents published their reasons for dissent in the *Scots Magazine* of April 1752 and to these answers were prepared by a committee of the Commission and published in the following month's issue of the same magazine. Robertson and his friends considered that the decision of the Commission not to censure the Presbytery of Dunfermline was subversive of society in general and was absolutely inconsistent with the nature and preservation of ecclesiastical society. It was particularly inconsistent with Presbyterian church government and with the uniform practice and procedure of the Presbyterian Church. It would not only encourage disobedience to the decisions, but would also justify contradictions to the doctrines of the church so that the way was now open for the publication of the "most wild, erroneous and hurtful opinions." The "Reasons of Dissent" is a rather pompous document, the work of young men who are determined to put the Church to right and the "Answers" prepared on behalf of the Commission gently pokes fun at them.

When the Assembly met in May 1752 Patrick Cuming was elected moderator, though he had been moderator only three years before, and the Lord High Commissioner, the Earl of Leven, made a very partisan speech. He told the Assembly: "The main intention of your meeting is frustrated if your judgments and decisions are not held to be final."²² When the Inverkeithing

²¹ Morren: *Annals 1739-52*, pp. 222-30.

²² Morren: *Annals 1739-52*, p. 261.

Case was considered the Synod was absolved from blame and the Commission was held to have exceeded its powers. On Monday, 18th May, the Presbytery of Dunfermline was ordered to meet the following Thursday to induct the presentee to Inverkeithing and to appear before the General Assembly the following day to report diligence. For this meeting the quorum of the Presbytery was raised from three to five since it was known that three members of the Presbytery were willing to act.

When Friday came three ministers appeared before the Assembly to say that they had gone to Inverkeithing to do as the Assembly had ordered and had waited for two hours for the other ministers to come and make up the quorum. Two ministers said that they had gone to Inverkeithing in the morning and had tried to persuade the people to give up their objections to the presentee but they had failed and gone home. Six other ministers gave in a humble representation in vindication of their failure to obey the Assembly and quoted an act passed by the Assembly of 1736 which had declared against the intrusion of ministers into parishes contrary to the wishes of the congregation. This angered the Assembly and the six were ordered to withdraw the document. The six refused and the Assembly decided by 93 votes to 65 to make an example of one of them.

The following day the recalcitrant ministers were called in and were asked if they had anything further to say. Five added nothing but one of them, Thomas Gillespie of Carnock, read a further humble representation on his own behalf. Then the Assembly took a vote. Fifty-two voted to depose Gillespie and 102 abstained from voting. Gillespie was solemnly deposed from the ministry and the others were suspended from their judicial functions. The Presbytery then submitted and inducted the presentee to Inverkeithing.²³

Cuming approved of these harsh measures but in his closing address to the Assembly he almost suggests that he was pressured into doing away with "riding" committees by the group of young ministers led by Robertson and Home:

"Something was necessary to be done to remedy a growing evil, to prevent anarchy, and strengthen that constitution which was settled in the fifteen hundred and ninety-two, and confirmed to us by the articles of the union. We are ministers of the Gospel of Christ—we are also ministers of a Church established by law. If this is not preserved, we give up our constitution, and the legal advantages of it—we ourselves, abandon that right we have by the articles of the union. Far am I from thinking

²³ Morren: *Annals 1739-52*, pp. 262-272.
Carlyle: *Anecdotes and Characters*, p. 130.

that every difference destroys that subordination; but what signify acts if they are not executed, and how can there be any government if there is no last resource, and what must follow, but a dissolution of this frame of government, which will make it necessary that another be established, for neither can we ourselves endure anarchy, nor will the civil government suffer it to continue long. . . . It was therefore necessary that something should be done to maintain the authority of the Church. I know it will be a prejudice against what the Assembly have done, that the argument was supported by several young members, but it was by young men in defence of our old constitution."²⁴

It is a curious spectacle this—the leader of the General Assembly virtually apologising to the members because of the prominent part taken by young ministers in the debate on a vital issue. It seems almost incredible that a seasoned ecclesiastical politician like Cuming should have been “pressured” into such a radical change of policy by a group of comparatively young inexperienced country ministers. It seems more likely that other pressures were more decisive.

Cuming was probably afraid of a serious deterioration in the good relations between Church and State on which he set so high a value if the Assembly did not take a firmer line with recalcitrant Presbyteries. His speech to the Assembly can certainly bear this interpretation.

But there was another pressure which was even more influential. For some time Cuming had been an enthusiastic promoter of a scheme for the augmentation of stipends. A proposal to apply for an augmentation of stipends had been made in the Assembly of 1748 of which George Wishart, one of the ministers of the Tron parish, Edinburgh, was moderator, but no action was taken. The following year, when Cuming was moderator, the Assembly resolved to appoint a committee to consider the matter and to report to the next Assembly. Fifty-seven ministers and twenty-seven ruling elders were appointed to serve on this committee, including the moderator, the clerk of Assembly (George Wishart) and the Earl of Leven who was an elder as well as Lord High Commissioner.²⁵ The feeling of the majority of the Committee may be judged by the following letter from Leven to the Duke of Newcastle:

“I have troubled you with this much of our wise proceedings that you may see the same headstrong disposition continues and that you may inform those in power that unless some method is fallen upon to unite all parties in

²⁴ Morren: *Annals 1739-52*, pp. 289f.

²⁵ Morren: *Annals 1739-52*, p. 130.

Scotland to oppose this scheme and employ their influence with their dependants the application to Parl^t will certainly carry by a vote nixt Assembly ”.²⁶

Enclosed for Newcastle's information is a printed "Account of the proceedings of the committee of the late General Assembly for considering what relates to the augmentation of ministers' stipends, at their stated meeting the 7th of November 1749 and some subsequent diets."²⁷ According to this "Account" the Committee had estimated the necessary annual expenditure of a minister living south of the Forth to be £83.12.8 sterling and that ten chalders of victual, oat-meal and bear, or the value of it in money, would be a reasonable stipend. They were therefore of the opinion that an Act of Parliament should be sought by the next General Assembly to give effect to this.

The minimum stipend for ministers had been fixed in 1633²⁸ at the equivalent in money or victual of £45 sterling but in 1749 it was found that sixteen ministers received less than £35 and forty-one received no more than £40. A hundred and forty-seven ministers had only the legal minimum.²⁹ In view of the considerable rise in the cost of living, due to the increased prosperity of the country, the Committee's proposals do not seem unreasonable. But in almost every county from Orkney to Wigtown there were protest meetings of the landed gentry which passed extravagantly worded resolutions opposing the augmentation scheme. Aberdeenshire described the scheme as "very pernicious" and a breach of the Treaty of Union which had declared laws that concern private right unalterable. Morayshire declared its "abhorrence" of the scheme, while Kincardineshire thought that "on the whole there is greater reason to petition for lowering than for heightening the Scottish stipends". The gentlemen of Renfrewshire considered that the smallness of Scottish livings, far from handicapping the ministers in the execution of their duty, actually promoted "their decent and sober manners, their regular lives, their diligence and assiduity in every branch of their duty".³⁰

When the Committee reported to the Assembly of 1750 George Wishart and three other ministers recorded their dissent from the opinion of the majority that immediate application be made to Parliament for an act to secure augmentation.³¹ The opposition of George Wishart and his brother William who was

²⁶ British Museum Additional MSS, 32, 719, f347.

²⁷ Reprinted in the *Scots Magazine* of October 1749 (Vol. XI, p. 496).

²⁸ W. R. Foster: *A Constant Platt Achieved* in D. Shaw (ed.) *Reformation and Revolution*, Edinburgh 1967, pp. 124-40.

²⁹ cf Report of Committee to Assembly of 1750 in Morren: *Annals 1739-52*, pp. 158-64.

³⁰ The *Scots Magazine*, Vol. XII, pp. 50, 101, 397.

³¹ Morren: *Annals 1739-52*, p. 164.

his colleague in the Tron and Principal of Edinburgh University was much resented as they themselves were very wealthy.³² But it was not just a case of the wealthy opposing, and the poor supporting, augmentation of stipends. It was feared by many that if the increase was granted patrons would insist much more sternly on their rights or presentation. Events were to prove that this linking of augmentation with patronage was no idle fancy.

After long and acrimonious debates the Assembly of 1750 decided to appoint Cuming, two other ministers and an elder to go to London to request an increase in the minimum stipend and various measures to facilitate the collection of stipends. Cuming and his fellow commissioners were civilly received by the King, several ministers of state and many members of both Houses of Parliament but it was soon made clear to them that there was no hope of an act to raise the minimum stipend.

Accordingly a petition was drawn up requesting various procedural changes to facilitate applications for increases to the legal minimum and collection of payments in arrears. This was presented to the House of Commons in March 1751. It lay on the table until a counter-petition was presented on behalf of the heritors when both petitions were referred to a committee. The report of this committee was ready at the end of May but an anonymous pamphlet circulated on 2nd June contained this passage:

“It is therefore submitted, that as a great part of the persons who now apply to Parliament for relief, with respect to their stipends, became entitled to them in breach and opposition to a law made by the Parliament of Great Britain, that in case the wisdom of Parliament shall incline to indulge the clergy with any alteration of the law as to these matters they will at the same time make effectual provisions for enforcing a due obedience to the Act of the 10th of Queen Anne, in such manner, as that it shall not for the future be in the power of Presbyteries in Scotland to elude the same in the manner they have hitherto done.”³³

This pamphlet sealed the fate of the petition on stipends but it also seems to have alarmed Cuming in a more general way. He became convinced that it was more important at this stage to conciliate the civil power than the rank and file in the Church in the hope that later on it might be possible to secure an increase in stipends without having at the same time to accept a more rigorous enforcement of the Patronage Act.

³² Carlyle: *Anecdotes and Characters*, pp. 116f.

³³ Morren: *Annals 1739-52*, p. 197n.

The augmentation controversy also affected the relationship between Cuming and John Home and his friend Alexander Carlyle of Inveresk. Carlyle's account is as follows:

“About this Period it was that John Home and I Being left alone with Dr Pat Cuming after Synod Supper, he prest us to Stay with him a little longer; and During an hour or two's Conversation Being Desirous to please us, who he thought might be of some Consequence in Church Courts, he threw out all his Lures to Gain us to be his Implicite Followers. But he faild in his purpose, having Gone too far in his animosity to Geo Wishart, for we Gave up the Principal, That we said to each other when we parted, that we would Support him when he acted Right, but would never be Intimate with him as a Friend.”³⁴

It is clear that Home, Carlyle and Robertson and some of their friends formed a group which refused to commit itself to any leader and consequently assumed a position of some importance as floating voters. Carlyle records that “Dr Pat Cuming did not like this Resolution of ours as it shew'd us to be a little untractable”. When Carlyle and Home became friendly with Lord Milton Cuming became alarmed for Milton was Ilay's confidential agent in Scotland and he felt that his own basis of power was being threatened. Carlyle considered that Cuming used the Douglas Controversy of 1756-7 to “blow us up, and Destroy our Popularity and Consequently Disgust Ld Milton with us”.³⁵

“Douglas” was a tragic play which had been written by John Home. Lord Milton had encouraged him to have it performed at the theatre in Edinburgh and the first performance was held on 14th December 1756. On 5th January 1757 the Presbytery of Edinburgh (of which Cuming was a member) issued an “Admonition and Exhortation” against the stage which was appointed to be read after service in every church within its bounds. This was followed by the prosecution of Thomas White, minister at Liberton, for attending the play. White expressed his deep sorrow for what he had done and so was merely suspended for a month. Not content with disciplining its own members, the Presbytery also sent letters to several other presbyteries whose members had similarly offended. The Presbytery of Haddington of which Home was a member were unable to take action against him because the author resigned his charge but Carlyle's presbytery, Dalkeith, proceeded against him by libel.

After some months the Presbytery of Dalkeith found that Carlyle's offence deserved a higher censure than a rebuke and

³⁴ Carlyle: *Anecdotes and Characters*, p. 117.

³⁵ *Ibid.*, p. 159.

expressed the opinion that the higher court which inflicted the censure the more salutary would be the effect. Carlyle appealed to the Synod and the Presbytery instructed their moderator to appeal to the Assembly should the Synod attempt to finish the process. The Synod's decision was that the Presbytery of Dalkeith ought not to have employed a public process like that of libel but ought to have tried to settle the matter privately by a privy censure or some such process. At the same time the court declared "its high displeasure with Mr Carlyle for the step he had taken in going to the theatre" and strictly enjoined him to abstain therefrom in time coming". This sentence was affirmed by the Assembly of 1757.³⁶

In all these proceedings Cuming seems to have played an active part, officially and unofficially. Carlyle says that Cuming was one of the committee which drew up the libel against him.³⁷ Certainly the Douglas affair earned Cuming a great deal of odium as Carlyle makes clear:

"One of the chief Actors in this Farce, Suffer'd most for the Duplicity of his Conduct, For he who was at the Head of the Moderate Party, through Jealousy or Bad Temper, Having with some of his Friends Headed the Party against the Tragedy of Douglas, His Followers in the Highlands and Remoter Parts, of the Moderate Party, were so much offended with his Hypocritical Conduct as they Call'd it, that they left him ever after, and Join'd with those whom he had taken so much pains to Disgrace, Whilst he and the other Old Leaders themselves United with their former Opponents."³⁸

Cuming was nicknamed Dr Turnstile³⁹ because of his supposed duplicity but it is by no means improbable that he genuinely disapproved of Carlyle's conduct while not being averse to discrediting the young Ministers. Carlyle himself records that Robertson did not attend the theatre even in 1784 when the General Assembly had to rearrange its business because of the members anxiety to see Mrs Siddons on the stage.⁴⁰

Whatever Cuming's real motives were the result of the controversy was disastrous for him and from then on his power steadily declined. Robertson's translocation to Edinburgh the following year made him a formidable opponent. The double blow of Ilay's death and the appointment of Robertson as Principal of the University in 1761 ended Cuming's leadership of

³⁶ Morren: *Annals 1752-66*, pp. 127-9.

³⁷ Carlyle: *op. cit.*, p. 162.

³⁸ *Ibid.*, p. 164.

³⁹ W. Law Mathieson: *The Awakening of Scotland*, Glasgow, 1910, p. 164n.

⁴⁰ Carlyle: *op. cit.*, p. 163.

the Church. Cuming's resignation from the chair of Church History which he had held since 1737 along with his pastoral charge may be regarded as an admission by him that he was defeated.

Cuming's leadership of the Church lasted for a total of twenty-one years—two years longer than that of his successor William Robertson. This leadership was due not to his abilities, considerable though they were, but to the fact that his patron, Ilay, was so long supreme in Scotland. His friend, Robert Wallace, led the Church when Ilay was out of favour.⁴¹ William Robertson, his successor, was independent of any patron though he strongly upheld patronage.

Cuming was constantly aware of the need to retain Ilay's confidence by upholding the law. But he also tried to conciliate the parishes by insisting on a call to the presentee, and the presbyteries by using the device of the "riding" committee. He sought the support of the rank and file of the ministry by trying to secure an augmentation of stipends. On the other hand he hoped to conciliate the civil power by the disciplinary action taken in 1752. The prosecution of the ministers who attended the theatre may have been intended to conciliate conservative Churchfolk. Perhaps his judgment was at fault but he was not really guilty of inconsistency as has been alleged. Indeed he was too rigidly concerned with the necessity of conciliation and failed to realise that he could not conciliate everyone.

It may be that the main reason for his ultimate failure was that he failed to capture the imagination of the younger generation. His lectures seem to have been orthodox but dull and were poorly attended.⁴² Not only did he fail to inspire his students; he also contrived to alienate Carlyle, Home and Robertson and this undoubtedly contributed to his downfall.⁴³

⁴¹ cf Records of the Scottish Church History Society, Vol. 16, pp. 1-22.

⁴² Thomas Somerville: *My own Life and Times 1741-1841*, Edinburgh, 1861, pp. 18f.

⁴³ This paper is based on part of a Ph.D. thesis submitted to the University of Glasgow. Grateful acknowledgment is made of the help of Dr Stewart Mechie.